



Federal Communications Commission
Washington, D.C. 20554

February 27, 2014

Off Beat Productions
c/o LipsitzGreenScimeCambia, LLP
Attn: Barry Nelson Covert
42 Delaware Ave., Suite 120
Buffalo, NY 14202-3924

Re: Case Identifier: CGB-CC-0478
CG Docket No. 06-181
Petition for Closed Captioning Exemption
Dismissal of Petition

Dear Mr. Covert:

By this letter, we are advising you that your above-referenced Petition for exemption from the Federal Communications Commission's (FCC's) closed captioning rules is dismissed without prejudice because of your failure to provide additional information as requested by the Consumer and Governmental Affairs Bureau (the Bureau). This letter also reminds you of your obligation to provide closed captioning for the program that was the subject of your Petition unless you have filed a new petition for exemption with the Commission.

On September 27, 2013, the Bureau requested by letter that you provide additional information to enable us to determine whether the programming noted in your Petition should be exempted from the FCC's closed captioning requirements because captioning the programming would be economically burdensome to your organization. The Bureau advised you that, absent receipt of additional information from you to supplement your Petition by October 28, 2013, your Petition would be dismissed. The due date was extended to February 11, 2014, upon your request. We did not receive the requested information from you prior to that date, or as of the date of this letter. Accordingly, your Petition is dismissed without prejudice as of February 27, 2014, the date of this letter. For your convenience, we are enclosing a copy of the Public Notice announcing the dismissal of your Petition.

Given that your Petition is dismissed without prejudice, you may file a new petition for exemption should it be needed. In addition, the Bureau previously advised you that if your Petition was dismissed, you would be required to comply with the FCC's closed captioning rules within ninety (90) days of the date of our notification to you that your Petition has been dismissed. Thus, if you are still airing the program that was the subject matter of your Petition and it is not subject to one or more of the exemptions contained in section 79.1(d) of the Commission's rules, 47 C.F.R. § 79.1(d), you must close caption the program within ninety days from the date of this letter.

For more information about the closed captioning requirements, please visit this link: <http://www.fcc.gov/encyclopedia/economically-burdensome-exemption-closed-captioning-requirements>. If you have additional questions pertaining to this letter or to the filing of an exemption request, please contact the FCC's Disability Rights Office at captioningexemption@fcc.gov.



Caitlin Vogus
Attorney, Disability Rights Office
Consumer and Governmental Affairs Bureau

cc: Consumer Groups

Enclosure